

Message Text

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ACTION ACDA-10

INFO OCT-01 AF-06 NEA-09 IO-10 ISO-00 OES-03 FEA-01

CIAE-00 DODE-00 PM-03 H-02 INR-07 L-02 NSAE-00 NSC-05

PA-01 PRS-01 SP-02 SS-15 USIA-06 ERDA-05 OIC-02 OMB-01

SAJ-01 SAM-01 ARA-06 EA-06 EUR-12 /118 W

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R 091915Z MAY 75

FM USMISSION GENEVA

TO SECSTATE WASHDC 2795

INFO AMEMBASSY PRETORIA

AMEMBASSY TEL AVIV

C O N F I D E N T I A L GENEVA 3397

E.O. 1152: GDS

TAGS: PARM

SUBJ: NPT REVCON: ADMISSION OF OBSERVERS

REF: STATE 103262

1. QUESTION OF ADMISSION OF OBSERVERS TO NPT REVCON REMAINS UNRESOLVED. TO DATE, FOUR STATES WHICH HAVE NEITHER SIGNED NOR RATIFIED NPT (ALGERIA,CUBA, ISRAEL, SOUTH AFRICA) HAVE FORMALLY APPLIED FOR OBSERVER STATUS UNDER RULE 44, AND TWO OTHERS (ARGENTINA AND BRAZIL) ARE PREPARED TO DO SO.

2. OBSERVER QUESTION WAS DISCUSSED 8 MAY IN SMALL CONTACT GROUP CONSISTING OF FOUR COMMITTEE CHAIRMEN (CANADA,PHILIPPINES, NIGERIA, POLAND), CONFERENCE PRESIDENT (THORSSON) AND CONFERENCE SYG (PASTINEN). WE UNDERSTAND THAT PASTINEN PROPOSED SOLUTION UNDER WHICH ALL OBSERVER APPLICANTS WOULD INFORMALLY BE PERMITTED BY CONFERENCE SYG TO EXERCISE RIGHTS OF OBSERVERS UNDER RULE 44 (ATTENDING MEETINGS OF PLENARY AND MAIN COMMITTEES IN SECTION DESIGNATED FOR CONFIDENTIAL

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OBSERVERS) BUT WITHOUT FORMAL CONFERENCE DECISION.

HOWEVER, CLARK (NIGERIA) DID NOT AGREE TO SUCH AN ARRANGEMENT, INDICATING THAT HE BELIEVED AFRICANS WERE NOT PREPARED TO PERMIT SOUTH AFRICAN PARTICIPATION WITHOUT CHALLENGE, AND WANTED CASE-BY-CASE CONSIDERATION OF OBSERVER APPLICATIONS. BARTON (CANADA) OPPOSED SUCH A CASE-BY-CASE CONSIDERATION. MEETING CONCLUDED WITHOUT AGREEMENT, AND GROUP WILL MEET AGAIN ON 13 MAY TO PURSUE ATTEMPT TO REACH SOLUTION.

3. WE BELIEVE PASTINEN-TYPE SOLUTION PROBABLY IS BEST APPROACH, AND OUR PRELIMINARY DISCUSSIONS WITH SOUTH AFRICAN AND ISRAELI REPS INDICATE THEY WOULD BE PREPARED TO ACCEPT SUCH AN ARRANGEMENT AND WOULD NOT BE INCLINED TO PRESS FOR FORMAL DECISION. IF SUCH A COMPROMISE CANNOT BE ACHIEVED, WE WILL DO WHAT WE CAN PROCEDURALLY TO SEE THAT CHALLENGE TO SOUTH AFRICA IS HELD TO REQUIRE CONSENSUS OR TWO-THIRDS VOTE UNDER RULE 28; HOWEVER, IF AFRICANS ARE DETERMINED TO PRESS THE MATTER AND ARE PROCEDURALLY CAREFUL, THEY WOULD HAVE GOOD CHANCE OF SUCCESS. WE ARE ATTEMPTING TO USE ARGUMENTS IN REFTEL TO DISCOURAGE SUCH A RESULT.

4. ON THE MORNING OF 9 MAY, AT US SUGGESTION, WEO DELS MET INFORMALLY TO DISCUSS PROBLEM. DELS AGREED THAT NO OBSERVERS SHOULD BE EXCLUDED; THAT PASTINEN-TYPE SOLUTION SEEMS TO OFFER BEST CHANCE OF ACHIEVING THIS RESULT; CASE-BY-CASE CONSIDERATION OF APPLICATIONS WOULD PROBABLY RESULT IN S.AFRICAN EXCLUSION AND THEREFORE SHOULD BE OPPOSED. DELS UNCLEAR HOW QUESTION WOULD ARISE PROCEDURALLY IF PRESSED TO A CONFERENCE DECISION; MEETING OF SMALL CONTACT GROUP ON 13 MAY WILL BE IMPORTANT IN DETERMINING THIS. DELS IN AGREEMENT, HOWEVER, IF ISSUE PRESSED TO VOTE IN PLENARY, THEY WOULD VOTE IN FAVOR OF SEATING ALL OBSERVERS AND OPPOSE EXCLUSION OF ANY PARTICULAR APPLICANT.

5. IN MEANTIME, THORSSON HAS SOUGHT LEGAL OPINION FROM
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SYG ON AFRICAN SUGGESTIONS THAT QUESTION BE REFERRED TO CREDENTIALS COMMITTEE. SECRETARIAT RESPONDED WITH OPINION THAT EXAMINATION OF CREDENTIALS OF OBSERVER APPLICANTS WOULD BE UNNECESSARY AND INAPPROPRIATE UNDER RULES OF PROCEDURE AND PAST PRACTICE OF INTERNATIONAL CONFERENCES. WE AGREE WITH THIS CONCLUSION AND WILL SUPPORT IT IF THERE IS ANY ATTEMPT TO REFER MATTER TO CREDENTIALS COMMITTEE (WHERE DECISION ON

SOUTH AFRICA CERTAIN TO BE UNFAVORABLE).

6. TO DATE, WE HAVE SEEN NO REAL EVIDENCE OF SERIOUS
CHALLENGE TO ISRAELI APPLICATION. ABRAMS

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NNN

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